

AMENDMENT AND RESPONSE

HONORABLE SIR:

Responsive to the official communication of September 13, 2002, Applicant submits the following Amendments and Remarks.

It is not believed that extensions of time are required beyond those, which may otherwise be provided for in documents accompanying this Amendment. However, in the event that additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned for under 37 C.F.R. § 1.136(a), and any fees required therefore are hereby authorized to be charged to our Deposit Account 20-0823.

Please amend the above-identified application as set forth below.

In The Claims:

Cancel claims 7, 10 and 13.

26. (Amended) [The method of claim 13] A method for decreasing the rejection of transplanted cells comprising contacting the cells ex vivo with a recombinant adenovirus comprising a polynucleotide encoding a RID α -S polypeptide, a RID α -L polypeptide and a RID β polypeptide, as disclosed in SEQ ID NO:1, SEQ ID NO:2 and SEQ ID NO:4, wherein (a) the polynucleotide is operably linked to a cytomegalovirus ("CMV") promoter, (b) the adenovirus enters the cell and delivers the polynucleotide to the cell, (c) the RID α -S polypeptide, RID α -L polypeptide and RID β polypeptide are expressed in the cell in an amount sufficient to inhibit apoptosis of the cell, (d) the cell expresses Fas, DR3, TRAIL-R1, or TRAIL-R2, (e) the adenovirus lacks at least one functional E1 gene and (f) the rejection is mediated by Fas receptor activity; wherein the

DOCKETED

DEC 04 2002

Thompson Coburn LLP

1983966

- 2 -